

FISCAL NOTE

HB 2323 - SB 2307

March 23, 2005

SUMMARY OF BILL: Defines and establishes procedures for the recovery of funds owed to TennCare by an estate and requires the personal representative of an estate of a deceased TennCare enrollee to file with the Bureau of TennCare all documentation that may be required to determine whether TennCare is owed any funds from the estate.

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact - Decrease Expenditures - Exceeds \$4,000,000 including both state and federal expenditures.

Assumptions:

- This bill will increase estate recovery due to TennCare being able to file for recovery after one year.
- Probate courts differ in their interpretation of the current statutes leading to inconsistent decisions on recovery and claims being denied when they are not filed within one year.
- Benefits paid for long term care are subject to recovery.
- Disability of a child may exempt the estate from recovery.
- A decrease in state expenditures exceeding \$1,400,000.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director